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(Prisons)

File No. 56 of 08

Serial Nos. 1 and 2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 2

Part B. for June 1909

SUBJECT.

Amendment of sec 25 of the Mysore Jail Manual

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1 ~~The~~ From the S.G. of ~~Exs~~ Prisons No 536/56-08 dy 15-4-09.

Submits for the approval of Government the dra
of an amendment to rule 25 of the Mysore Lock-up ru

2 To the S.G of Prisons No. J 4050 dy 24/6/09

Approves of the proposal of the S.G of Prisons t
rule 25 of the Mysore Lock-up rules ~~as sug~~.

G.R.S.11] 1909.

GENERAL AND REVENUE SECRETARIAT

(Prisons)

NOTES.

File No. 56 of 08

FILE HEADING.

Amendment of Sec. 25 of the Mysore Jail Manual.

From

The Inspector General of Prisons in Mysore.

No. 536/56-08 Dated 15.4.09 Received 16.4.09.

Diary No. J2650	Enclos. —	Spare Copies —	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits for the approval of Government the draft of an amendment of rule 25 of the Mysore Lock-up rules.

NOTES AND ORDERS.

flag X
J W

The I. G. of Prisons was requested to submit a draft to amend rule 25 of the lock-up rules in this office letter No J2966 dated the 6th April 1909 and he was also asked to intimate the procedure adopted

NOTES—First sheet.

GPB—30,000—3-4-07

Serial No.

by magistrates in the mofussil for transmitting convicts sentenced by them to more than one month's imprisonment to the jails at Bangalore and Mysore.

2) The I. G. has submitted the draft amendment for the approval of Government.

3) Submitted for orders with a copy of the jail manual.

Cb. 19/4 SW 20/4

4) The accompanying file (no 49 of 08) shows how the words will have it duly attested" in rule 25 of lockup rules came to be misunderstood by the lockup officer of Mandya.

5) The proposed amendment is all right except that the words "for the purpose of preferring an appeal" appears to narrow down the scope of a wholesome rule. Undertrial prisoners (in original criminal cases) will also have to engage lawyers and execute vakalats occasionally (though it is not obligatory)

6) May the opinion of the Chief Court be invited, in the meanwhile.

20/4. SH

Secretary.

NOTE—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12]
General and Revenue Secretariat.

Pris File No. 56 of 1908

Serial No.

1) What is the Madras rule on the subject
Please first up the Madras Jail manual

2) There is no corresponding rule in the Madras jail manual. Submitted with copies of the Madras jail manual and the Madras Subsidiary jail manual

23/4

9) Prisoners in Madras are allowed to have interviews with their friends on certain occasions to enable them to consult their legal advisers & friends. Please see rules 555 and 942 & 943 of the Madras Jail manual put up.

23/4.

Secretary

10) The rule if it required to be amended, may at once as follows.

"When any prisoner wishes to execute a power of attorney, the officer in charge of the Lock-up shall afford him all reasonable facilities for doing so, and shall also have it duly attested or attest it himself

1 whether Convicted or undertrial

Please see also rule 66 of the Subsidiary jail rules.

NOTE—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12]
General and Revenue Secretariat.

Prize File No. 56 of 1908

Serial No.

cl mallet

11) The draft sent by the Legislation seems to go too much into detail

[illegible] 30/10/08

103
30 10 08

12) The amendment suggested by the Secretary may be adopted

[illegible] 1/5/09

13) Circulate 1/5/09

[illegible] 3/5

14) The proposal merely amounts to a paraphrase of the present rule. It is hardly worth doing so, but there is no objection to passing it. In my opinion the present rule is quite clear enough-

[illegible] 4/5/09

635 (2 books) 5/5/09

[illegible] 5/5/09

15) What is proposed is not so much an amendment of the existing rule as an elucidation of it for the benefit of carrying back up officers - In this view the terms proposed by the L. seem unexceptionable and may be adopted

[illegible] 5/5/09

Submitted to His Highness.

16) In a case that was recently before Government, it was brought to notice that a Lock-up Officer refused to attest a Vakalatnama executed by a convicted prisoner, although the Lock-up officer is required to do so under Rule 25 of the Lock-up Rules, owing to an alleged misunderstanding of the meaning of the Rule. In passing orders on the case, the Government requested the Inspector General of Prisons to submit for approval a draft amendment of the rule. This has been submitted by the Inspector General of Prisons in his letter No.536/56-08 dated 15th April 1909.

17) 2. The Secretary thinks that the draft submitted by the Inspector General goes too much into detail and has suggested an alternative draft which the First Councillor has approved of. The Second Councillor considers that the present rule is clear enough, but he has no objection to passing the proposed amendment which is only a paraphrase of the present rule, although it is hardly worth while doing

so. 18

~~3.~~ What is proposed is not so much an amendment of an existing rule as an elucidation of it for the benefit of erring lock-up officers. In this view the terms proposed by the Inspector General seem preferable and may, I think, be adopted.

Yes.

Otto Luppescu

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Amendment of section 25 of the Mysore Jail Manual so as to afford all reasonable facilities to any prisoner who wishes to execute a Power of attorney.

Order.

12/6/09

Seen

14/6/09 1 December 14/12/09

G. R. S. 12]
General and Revenue Secretariat.

Pris File No. 56 of 190 8

Serial No.	
1	Submitted for approval with a draft. (The draft rules may perhaps be printed & spare copies sent to the D. I. of Prisons for distribution among the Lock-up Officers). SE. 15/6 JW 17/6 2.3 May be approved CSB 18/6/09. SH Secretary. 24 Issue CSB 18/6/09 SH 18/6/09
2	to the D. I. of Prisons ~~Sanction~~ Approval of the proposal of the D. I. of Prisons to amend Rule 25 of the Lock-up rules as suggested in Mrs 1

B Rec 20/7

No. 536/56-08 Office of the Inspr. Genl. of Prisons in Mysore,
Dated Bangalore, 15 April 1909.

Pris 56/08
& 201

From

Lt.-Colonel J.Smyth M.D., I.M.S.,
Inspector-General of Prisons in Mysore.

To

K.S.Chandrasekhara Aiyar Esqr., B.A., B.L,
Secretary to the Government of His Highness
the Maharaja of Mysore, Genl. and Rev. Deptts.

Sir,

As desired in para 1 of your letter No.J.2966/Pris.49-08-3 dated the 6th instant, I have the honor to append below, for approval of Government, an amendment to the existing Rule 25 of the Lock-up Rules.

"25. When any prisoner wishes to execute a power of attorney for the purpose of preferring an appeal, the Officer in charge of the Lock-up will get it signed by the prisoner without delay and the Lock-up Officer shall himself attest the document by entering the words "signed before me" at the bottom thereof and attaching thereto his own signature".

I have the honor to be,
Sir,
Your most obedient servant,

For Inspector General of Prisons.

III 4 1614 C 2650

Pris. 1909

From The Inspr Genl of Prisons in Mysore

To The Secy: to Govt
Genl & Rev Dept

Dated 15th April 09.

Despatched

Received

General No. 536

No. 56-08.

Enclosure No

Appendo, for approval of Govt, an amendment to the existing Rule 25 of the Lock-up rules re, the attestation of power of attorneys of prisoners before the Lock-up Officer.

G.R.S. 28]

Pris **File No. 56 -o**

Serial No. 2

Diary No. of letter replied to J 2650

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Prisons)

, *the* 190

Date of issue 24-6-09.

Signed by Hon'ble Shivayamaiya

READ—

Letter no 536/56-08 dated the 15th April 1909 from the I. G. of Prisons Mysore, forwarding for the approval of Government the following amendment

ORDER THEREON.—No.

to the existing rule 25 of the Lock-up Rules—

[After print the rule as amended by the I. G. of Pris

4050 dt 24/6/09 Order thereon No J
Amendment
The alteration of the

SUBJECT

~~existing~~ Rule 25 of the Lock-up Rules, as suggested in the above, is approved. The Inspector General of Prisons is requested to substitute the same for the existing rule in the revised Jail Manual now under Compilation

Smith 18/9/09
Secretary
S.H.

To
The I. G. of Prisons in
Burma

38 12/6 SN 17/9/09

AD 23/9

S of S SN

Proceedings of the Government of His Highness the Maharaja of Mysore, Judicial and Legislative (Prisons), dated 24th June 1909.

READ—

Letter No. 536—56-08, dated the 15th April 1909, from the Inspector-General of Mysore forwarding for the approval of Government the following amendment to the existing Rule 25 of the Lock-up Rules:—

"25. When any prisoner wishes to execute a power-of-attorney for the purpose of preferring an appeal, the officer in charge of the Lock-up will get it signed by the prisoner without delay and the Lock-up Officer shall himself attest the document by entering the words "signed before me" at the bottom thereof and attaching thereto his own signature."

No. J. 4050—PRIS. 56-08-2, DATED BANGALORE, 24TH JUNE 1909.

ORDER THEREON.—The amendment of the present rule 25 of the Lock-up Rules, as suggested above is approved.

C. S. BALASUNDARAM IYER,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The Inspector-General of Prisons in Mysore.

Exd.—C. V.

1908-09

GOVERNMENT OF HIS HIGHNES THE MAHARAJA OF MYSORE

JUDICIAL AND LEGISLATIVE
(PRISONS)

PROCEEDINGS

Dated 24th June 1909

No. J. 4050
Pris. 56-08-2

Amending Rule 25 of the Mysore Lock-up Rules.